

Regular Session, 2009

HOUSE BILL NO. 218

BY REPRESENTATIVE HARDY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To enact R.S. 17:81(Q) and 3996(B)(21), relative to fire safety and prevention equipment at public elementary and secondary schools; to require the governing authority of a public elementary or secondary school to adopt and implement policies relative to the inspection and operation of all fire safety and prevention equipment at a school, including but not limited to fire alarm and smoke detection devices; to provide policy guidelines; to provide for the duties of the office of the state fire marshal; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:81(Q) and 3996(B)(21) are hereby enacted to read as follows:

§81. General powers of city, ~~and parish, and other local public~~ school boards

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Q.(1) In addition to any other provision of applicable law, rule, regulation, or code, each city, parish, and other local public school board shall adopt and implement policies providing for inspections by qualified persons of all fire safety and prevention equipment, including but not limited to fire alarm and smoke detection devices at each school under its jurisdiction at least twice during each school year and to require that all necessary actions be taken by appropriate persons in a timely manner to assure that all such equipment is in good working order and meets the need for which intended. Such policies shall provide, at a minimum, that any employee of the board who performs an inspection pursuant to this Subsection shall have received the appropriate training necessary to perform such inspection, and documentation of such training shall be included in the employee's personnel file.

(2) For the purposes of this Subsection, the term city, parish, and other local public school board shall mean the governing authority of any public elementary or secondary school.

(3) The provisions of this Subsection shall not be construed to require any inspection by the office of the state fire marshal in addition to those otherwise required by law, rule, or regulation.

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§3996. Charter schools; exemptions

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B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

* * *

(21) Inspection and operation of fire safety and prevention equipment, R.S.
17:81(Q).

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Section 2. This Act shall become effective on July 1, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2009, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____